

SOMB Recommendations for Adult Sexual Offender Community Supervision

In 2011, the Idaho Legislature charged the newly created Sexual Offender Management Board with establishing and implementing standard protocols for sexual offender management, assessment and classification based on current and evolving best practices (Section 18-8314, Idaho Code).

Consistent with its authority, the Idaho SOMB has set forth the following recommendations for agencies and entities in the State of Idaho who are responsible for placement, oversight, and decision making with adult sex offenders under probation and parole supervision. This document is designed primarily to reflect an overall community supervision philosophy, intended to provide a common foundation and guiding framework for the specialized community supervision of adults convicted of sex offenses or sex offense-related crimes.

The following recommendations are not intended to be considered as requirements or expectations that *must* be followed nor are they intended to supplant, supersede, or replace existing statutes, agency policies or operating procedures, administrative rules or other codes specific to the supervision or management of adults convicted of sex offenses or sex offense-related crimes.

The Idaho SOMB shall collaborate with the IDOC and other relevant agencies to strive to ensure that the recommendations contained herein are mutually compatible and congruent with agency policies and operating procedures, statutory or other legal provisions of the Idaho Code, administrative rules, or other regulations in Idaho.

I. COLLABORATIVE CASE MANAGEMENT PRACTICES

- A. Officers should recognize their complementary role with the broader system of sex offender management. Active collaboration with a team of professionals from other disciplines and agencies with key roles and responsibilities in the system is highly recommended. The individual team members may vary from case-to-case, but often include:

- a. Specialized psychosexual evaluators (certified by the SOMB);
 - b. Specialized sex offender-specific treatment providers (certified by the SOMB);
 - c. Post-conviction sex offender-specific polygraph examiners (certified by the SOMB);
 - d. Victim therapists/advocates;
 - e. Family/couples therapists;
 - f. Law enforcement officials;
 - g. The courts;
 - h. Commission of Pardons and Parole, releasing authorities; and
 - i. Institutional, residential, or correctional staff providing prison-based programs, services, or case management.
- B. Officers should actively collaborate with the range of professionals/team members with a role and stake in any given case to promote well-informed, maximally effective decision making throughout the course of the individual's supervision under the criminal justice system. With respect to supervision officers specifically, important opportunities for collaborative case management planning include:
- a. Promoting well-informed release decision making;
 - b. Facilitating seamless transition and reentry;
 - c. Developing the initial supervision/case management plan;
 - d. Exploring specialized conditions of supervision;
 - e. Determining proper referrals to treatment programs, services, and resources for individuals and their families;
 - f. Assessing dynamic risk factors;
 - g. Making adjustments to the frequency, intensity, and focus of supervision;
and
 - h. Identifying and implementing appropriate, proportional, and timely responses to violations.

II. SPECIALIZATION AS AN OVERARCHING TENET

- A. Specialized community supervision of adults convicted of sex offense or offense-related crimes should be provided to enhance the potential for officers to address the dynamics of these crimes and the range of unique risk factors associated with sex offenses.
- B. Agency policies, operating procedures, and administrative rules should be designed to ensure specialization in the following areas of community supervision:
 - a. Specialized, research-supported risk assessments to differentiate higher from lower risk sex offenders in order to provide an intensity, focus, and duration of supervision and use of other strategies that are most likely to result in greater public safety benefits, successful outcomes for the individuals under supervision, and effective resource utilization.
 - b. Specialized officers who are trained in understanding current research and contemporary practices pertaining to this special population, and apply this information to their risk management and risk-reduction approaches to supervision;
 - c. Specialized conditions of probation and/or parole supervision that are designed to promote accountability, minimize and reduce recidivism risk, and promote victim and community safety; and
 - d. Specialized partnerships that facilitate collaboration between supervision officers and the courts, law enforcement agents, victim advocates, specialized treatment providers, family and/or marital therapists, polygraph examiners, institutional/correctional staff, paroling officials, and other professionals who have a role in case management efforts.
- C. Officers responsible for supervising adults convicted of sex offenses or sex offense-related crimes should be familiar with and adhere to current practice guidelines relevant to the assessment, treatment, supervision, and other management strategies for sex offenders as established by the Association for the Treatment of Sexual Abusers (ATSA), although membership in ATSA is not a requirement for supervision officers.

III. SPECIALIZED EDUCATION AND TRAINING FOR SUPERVISION OFFICERS.

- A. SOMB precedent for establishing minimum education and training requirements for other professionals. Through legislative mandate and authority, the SOMB has established minimal educational, training, experience, and continuing education requirements for professionals to be eligible for certification and authorization by the Board to:
- a. Conduct psychosexual evaluations of adults convicted of sex offenses or sex offense-related crimes;
 - b. Provide specialized treatment for adults convicted of sex offenses or sex offense-related crimes; and
 - c. Administer post-conviction sex offender-specific polygraph examinations to adults convicted of sex offenses or sex offense-related crimes.
- B. Recognized need for minimum education and training requirements for supervision officers.
- a. Due to the equally important and central role of supervision officers, all officers responsible for supervising adults convicted of sex offenses or sex offense-related crimes should be equipped with specialized education and training.
 - b. Optimal specialized education and training programs are designed to:
 - i. Increase/enhance officers' *knowledge and awareness* of various sex offender management-related topics; and
 - ii. Develop, practice, enhance, and maintain officers' *skills* with respect to specialized supervision of adult sex offenders.
 - c. The SOMB recommends that such specialized education and training occurs progressively and at times, concurrently, through a combination of:
 - i. Initial pre-service/in-service training;
 - ii. In-service, on-the job clinical mentoring and support; and
 - iii. Continuing education, ongoing professional development activities.
- C. Initial pre-service/in-service training expectations. Persons responsible for specialized community supervision of adults convicted of sex offenses or sex

offense-related crimes should complete a minimum of forty (40) hours of initial pre-service/in-service training specific to sex offenders, victims, and sex offender management-related topics in order to establish a common baseline and foundation of specialized knowledge and skills to ground their supervision efforts.

- a. The forty (40) hours of initial pre-service/in-service training hours may be accumulated through a series of workshops, conferences, symposia, or on-line training, although ideally these hours will be provided by the respective agencies through a shared, structured “training academy” curriculum.
- b. The forty (40) hours of initial pre-service/in-service training hours should optimally address areas such as:
 - i. Current research about individuals who commit sex offenses (e.g., characteristics, risk factors, pathways to offending, recidivism rates, differences between adults and juveniles);
 - ii. Current research about victims of sexual abuse (e.g., incidence and prevalence, nature of offender-victim relationship, short and long term impact of victimization);
 - iii. Fundamental principles of a comprehensive approach to sex offender management (e.g., victim-centeredness, specialized knowledge, collaboration, public education, performance and outcomes monitoring and evaluation);
 - iv. Key components of a comprehensive approach to managing sex offenders (e.g., investigation, prosecution, sentencing/disposition; assessment; treatment, supervision, reentry, registration and notification);
 - v. Fundamentals of assessing sexual recidivism risk among adult and juvenile sex offenders;
 - vi. Fundamentals of developing individualized, specialized, assessment-driven supervision case plans;
 - vii. Applying evidence-based principles and practices in corrections to sex offender management;

- viii. Fundamentals of specialized technologies such as polygraph examinations, GPS/electronic monitoring;
 - ix. Professional boundaries; and
 - x. Awareness of the heightened potential for vicarious/secondary trauma and burnout.
- D. In-service, on-the-job clinical mentoring and support. Officers should be provided routine support and guidance by seasoned colleagues or supervisors who possess specialized knowledge, training, and practical experience with supervising adult sex offenders to develop, practice, and enhance skills pertaining to specialized supervision. Such mentoring and support should be designed to:
- a. Support officers' practical application of the information learned during the initial pre-service/in-service education and training as outlined above; and
 - b. Enhance skills and proficiency with respect to the areas that include, but are not limited to:
 - i. Interviewing and engaging adult sex offenders, effective officer-client interactions;
 - ii. Engaging and working with members of offender's community support systems (e.g., partners, family members);
 - iii. Conducting home visits and other field contacts;
 - iv. Collaborating with representatives from other disciplines and stakeholders for the purpose of information-exchange, referrals to programs and services, address verifications, and other complementary activities;
 - v. Scoring and interpreting specialized, sex offender-specific risk assessments;
 - vi. Developing individualized, assessment-driven supervision/case management plans;
 - vii. Responding appropriately and effectively to violations and other non-compliance; and
 - viii. Ensuring proper documentation, such as case notes.

- E. Continuing education, ongoing professional development. Persons responsible for specialized community supervision of adults convicted of sex offenses or sex offense-related crimes should accumulate annually a minimum of twenty (20) hours of ongoing continuing education specific to sex offenders, victims, and sex offender management-related topics in order to maintain and advance specialized knowledge and skills.
- a. The continuing education may be accumulated through a series of workshops, conferences, symposia, or on-line training.
 - b. Continuing education should optimally address a combination of advanced or supplemental topics such as:
 - i. Electronic monitoring/GPS;
 - ii. Post-conviction sex offender-specific polygraph examinations;
 - iii. Sex offender-specific legislative trends;
 - iv. Contemporary sex offender-specific risk assessment;
 - v. Contemporary trends in specialized treatment for sex offenders;
 - vi. Computer search and monitoring technology and procedures;
 - vii. Building community support networks for sex offenders;
 - viii. Addressing housing and employment challenges;
 - ix. Family reunification involving sex offenders;
 - x. Working with special populations of sex offenders (e.g., clients with cognitive impairments, developmental delays, severe and persistent mental illness, female sex offenders, computer-based sex offenders);
 - xi. Cultural competence; and
 - xii. Self-care, mitigating vicarious/secondary trauma and burnout.
- F. Individualized professional development plans for specialized officers. Managers/supervisors should develop and implement individualized, needs-based professional development plans for officers who are responsible for specialized supervision of adult sex offenders. This may be operationalized through processes such as:

- a. Meeting individually with each officer to elicit the officer's professional development interests, goals, needs, and expectations;
- b. Reviewing representative examples of the officer's record-keeping and documentation (e.g., contact notes, supervision case plans) for sex offenders on their caseloads;
- c. Directly observing the officer during office and field contacts with sex offenders on their caseloads;
- d. Providing constructive feedback from these reviews and direct observations;
- e. Jointly developing an individualized professional development plan with specific, measurable, time-limited goals and objectives;
- f. Assisting with identifying methods and opportunities (e.g., clinical mentoring/support, job shadowing, peer mentoring/coaching, specialized training) to address these goals and objectives; and
- g. Assessing progress toward goal attainment as part of the officer's annual review.

IV. ASSESSMENT-DRIVEN SUPERVISION/CASE MANAGEMENT PLANNING

- A. Commensurate with risk and needs. Officers should develop supervision/case management plans in which the level and intensity of supervision, the targets and focus of supervision, and duration of supervision is informed by the assessed level of recidivism risk and criminogenic needs of the person under supervision, with higher risk sex offenders generally requiring:
 - a. A higher, more intensive level of supervision;
 - b. More frequent face-to-face contacts, using a combination of office and field contacts;
 - c. More referrals for risk-reducing programs and services to address general and sex offender-specific criminogenic needs/dynamic risk factors;
 - d. Greater use of specialized technology such as polygraph examinations and electronic monitoring/GPS; and
 - e. Longer duration of supervision.

- B. Attention to responsivity factors. Officers should take into account variables such as age, culture, language, development, maturity, level of functioning, mental health symptoms, medical conditions, medications, and physical or other disabilities/limitations and the implications for
- a. The style and approach used by the supervising officer;
 - b. The types of programs and services to be recommended or required for which clients are referred; and
 - c. The reliability, validity, and suitability of the various risk-management and risk-reduction strategies that can be employed.
- C. Reliance on multiple assessment data sources. When developing supervision and/or case management plans for adults convicted of sex offenses or sex offense-related crimes, officers should incorporate the findings from multiple of information/assessment data in order to support the comprehensiveness, reliability, and validity of the findings supervision/case management plan.
- Suggested sources of information include:
- a. Structured interviews with the individual and, in cases involving juveniles who have been convicted as adults, the parent and/or legal guardian;
 - b. Official records (e.g., law enforcement, victim statements, prior evaluations, treatment, social services, juvenile and/or adult criminal justice agencies);
 - c. Specialized pre-sentence investigations;
 - d. Specialized psychosexual evaluations;
 - e. Research-supported sex offender-specific risk assessment tool(s); or systematically and objectively assessing risk with adult sex offenders. While risk-factor research is limited for female sex offenders, acceptable tools for male sex offenders currently include, but may not be limited to, the following:
 - i. Static-99, Static-99R, 2002;
 - ii. VASOR;
 - iii. SORAG; and

- iv. The STABLE- and ACUTE-2007 (to complement the above risk assessment instrument tools by systematically assessing dynamic risk factors). The STABLE's dynamic risk factors may be used as a guideline for females.
- D. Necessity of ongoing assessment. Officers should recognize that recidivism risk can change over time based on circumstances, responses to interventions and therefore, officers should:
 - a. Communicate routinely with team members and collaterals to identify the presence or absence of dynamic risk factors;
 - b. Routinely utilize research-supported, sex offender-specific risk assessment tools that focus specifically on dynamic risk factors (i.e., the STABLE- and ACUTE-2007 if appropriate); and
 - c. Adjust approaches to supervision and modify the supervision/case management plan in accordance with changes in risk.

V. SCOPE AND APPLICABILITY OF SPECIALIZED CONDITIONS

- A. The SOMB recognizes that specialized conditions of supervision can provide important accountability, risk management, and risk-reduction measures for adults convicted of sex offenses or sex offense-related crimes, as such conditions are designed to take into account the complex dynamics involved in sex offending behaviors and the specific risk factors linked to sexual recidivism.
- B. The SOMB shall collaborate with the Idaho Courts, IDOC, and Commission of Pardons and Parole to develop a recommended set of specialized conditions from which the respective agencies and entities can select individual conditions on a case-by-case basis based upon risk and needs, when imposing probation or post-release supervision conditions for a given individual who is convicted of a sex offense or sex offense-related crime. Illustrative examples of specialized conditions may include, but shall not be limited to, the following categories:

- a. Victim contact, access, restitution
 - i. Resolve any and all victim restitution fees or obligations to the satisfaction of the court or other entity authorized to impose or collect such obligations.
 - ii. Have no contact of any kind with the victim(s) in your case unless previously and specifically approved in writing by your supervision officer, treatment provider, and the victim advocate and/or therapist, and the victim (and parent/legal guardian, if the victim is minor).
 - iii. Have no unsupervised contact with minor children unless previously and specifically approved in writing by your supervision officer, treatment provider, and child protective services representative (if applicable).

- b. Treatment
 - i. Actively participate and progress in a specialized treatment program provided by a professional appropriately certified by the Idaho Sex Offender Management Board.
 - ii. Follow any and all treatment recommendations outlined in a current psychosexual evaluation.
 - iii. Provide authorizations for releases of information regarding attendance, level of participation, treatment goals and objectives, and progress, from any such treatment programs to the team of professionals responsible for supervision of your case.

- c. Offense-specific/Offense-related
 - i. Use of computers, smart phones, and any other devices which support internet access or exchanging of text, video, or photographic messaging is allowable only under the prescribed conditions outlined and authorized in writing by your supervising officer.
 - ii. Computers, cell or smart phones, and any other devices which support internet access or exchanging of text, video, or photographic messaging

- are subject to random inspection and monitoring by your supervision officer or designee/representative.
- iii. Prohibited from entering or loitering in or around adult-oriented establishments geared toward sexually-explicit or sexually-oriented materials or activities.
 - iv. Restricted/prohibited from accessing or creating profiles or otherwise utilizing social networking, chat rooms, blogs, or other internet-based social resource outlets unless previously and specifically approved in writing by your supervision officer and treatment provider.
 - v. Prohibited from accessing, viewing, downloading, creating, or transferring images of materials, real or computer-generated, that depict minors in a sexualized manner, that depict non-consensual sexual activities or that otherwise depict content of an illegal, abusive, harmful, violent nature.
 - vi. Prohibited from purchasing, accessing, or viewing video or other games that depict non-consensual sexual activities, sexually explicit images or language, or that otherwise depict content of a violent nature previously and specifically approved in writing by your supervision officer and treatment provider.
- d. Supervision, Monitoring, Tracking
- i. Provide your supervision officer with verification of your adherence to/compliance with any to any applicable provisions for sex offender registration.
 - ii. Be subject to electronic monitoring/GPS as required by statutes, agency policies, or directives.
 - iii. Participate in any post-conviction sex offender-specific polygraph examinations as directed by your supervision officer or treatment provider.

- iv. Subject to announced and unannounced visits to your place of residence, school, or employment by your supervision officer and/or other authorized agency official or designee.
- C. Nothing set forth in these recommendations is intended to indicate that:
 - a. All individuals convicted of sex offenses or sex offense-related crimes should be subject to a standard set of specialized supervision conditions; or that
 - b. Any or all specialized conditions are necessary or appropriate for all individuals convicted of sex offenses or sex-related crimes.
- D. The nature and scope of specialized supervision conditions imposed for a given individual should be informed by the case dynamics, individual characteristics of the offender, victim-specific considerations, and assessed level of recidivism risk, risk factors, and intervention needs for that individual.
- E. Authorities responsible for imposing conditions of probation or parole supervision are strongly encouraged to access and utilize the findings from specialized pre-sentence investigations, psychosexual evaluations, and other specialized assessments in order to facilitate more objective, informed, and effective decision making with respect the imposition of specialized supervision conditions for adults convicted of sex offenses or sex offense-related crimes.